IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 6984 of 1999

Between:

1. Boya Anjanamma, W/o Boya Ranganna, aged 26 years.
2. Golla Maddaiah, S/o Pedda Maddaiah, aged 45 years.
3. B. Shasikala, W/o B.S. Raju, aged 35 years.
4. GantaSeshamma, W/o G. Venkataswamy, aged 40 years.
5. G. Ratnamma, W/o G. Narayanappa, aged 60 years.
6. Gorakallu Lakshmidevamma, W/o G. Kumar, aged 35 years.
7. Boya Jayaramudu, S/o Peddanna, aged 36 years.

(All are residents of Dorapalli, h/o Dhone, Dhone Mandal, Kurnool District)

..... PETITIONERS.

AND

1. The District Collector, Kurnool.
2. The Revenue Divisional Officer, Kurnool, Kurnool District.
3. The Mandal Revenue Officer, Dhone Mandal, Kurnool District.

.....RESPONDENTS.

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in evicting or resuming the land without any notice or cancelling the patta in respect of the agricultural lands in Sy.No.493/3A/5 an extent of 5 acres, Sy.No.493/3A/2 an extent of 5 acres, Sy.No.493/3A Paiki an extent of 5 acres, Sy.No.493/3A/8 an extent of 5 acres, Sy.No.493/3A Paiki an extent of 4 acres, Sy.NO.493/3A Paiki an extent of 3 acres and Sy.NO.493/3A/4 an extent of 5 acres situated at Dorapalli village, h/o Dhone, Dhone Mandal, Kurnool District as illegal, arbitrary and against the principles of natural justice and consequently direct the respondents not to interfere with their lawful possession in respect of the above said lands in question.

Counsel for the Petitioner: MR.G.DASARADHA RAMI REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.6984 of 1999

O R D E R :

The petitioners are residents of Dorapalli Village, H/o.Dhone in Kurnool District. They allege that they were assigned agricultural lands ranging from Acs.3-00 to Acs.5-00 in various sub-divisions of Survey No.493/3 of Dorapalli Village. They also allege that on 30-3-1999 the third respondent at the behest of the rival claimants tried to interfere with their possession. Apprehending that the standing crop of ground-nuts might be damaged, they filed the present writ petition praying this Court to direct the respondents not to interfere with their lawful possession.

Though notices are served on the respondents, counter affidavit is not filed. Be that as it is, after perusing the affidavit, this Court feels that the writ petition is filed on mere apprehension. However, it is made clear that if the petitioners' assignments are to be cancelled or if they are to be dispossessed from the land, the respondents may do so only after following the due process of law and after issuing notice to the

petitioners. This observation would safeguard the interest of the petitioners.

The writ petition, with the above observations, is disposed of. No costs.

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(V.V.S. RAO, J.)

22-07-2004.

Msr.

To

1.The District Collector, Kurnool.

2.The Revenue Divisional Officer, Kurnool, Kurnool District.

3.The Mandal Revenue Officer, Dhone Mandal, Kurnool District.

4. Two CCs to GP for Revenue, High Court of A.P., Hyderabad (OUT)

5. Two CD copies.

HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.6984 of 1999

Dt. 22-07-2004

(Msr)